



Op 1209

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4/14/97

Bayer 8890.2-KGB
Le A 29 373-US-02 Lin/as

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : LUTZ HEUER ET AL.
Serial No. : 08/542,566
Filed : October 13, 1995
For : MICROBICIDAL COMPOSITIONS
Group Art Unit : 1209
Examiner : A. Robinson

MAR 24 1997
RECEIVED

February 28, 1997

Assistant Commissioner for Patents
Washington, D.C. 20231

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Applicant hereby appeals to the Board of Appeals from the decision dated September 30, 1996 of the primary Examiner finally rejecting claims 7 & 11.

The period for response to the final rejection was set to expire on December 30, 1996. Such period has been extended Two months by the accompanying petition to expire on February 28, 1997.

Charge the appeal fee of (check one):
[X] \$300.00
[] \$150.00 (check one: [] small entity verified statement attached or [] verified statement filed)
to Deposit Account No. 02-1445.

CONDITIONAL PETITION FOR EXTENSION OF TIME

If any extension of time for this response is required, applicant requests that this be considered a petition therefore. Please charge the required Petition fee to Deposit Account No. 02-1445.

ADDITIONAL FEE

Please charge any insufficiency of fees, or credit any excess to our Deposit Account No. 02-1445.

One additional copy of this Notice is enclosed herewith.

SPRUNG HORN KRAMER & WOODS

By


Kurt G. Briscoe
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I hereby certify that this correspondence is being deposited with the United States Postal Services as first class mail in an envelope addressed to: Commissioner of Patents and Trademarks, Washington, DC 20231 on February 28, 1997


SPRUNG HORN KRAMER & WOODS

BY

DATE February 28, 1997